

BellSouth Telecommunications, Inc.
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REC'D TN
REGULATORY AUTH.

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OFFICE OF THE
EXECUTIVE SECRETARY

July 19, 1999

VIA HAND DELIVERY

Mr. David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

Re: *BellSouth Telecommunications, Inc. Tariff Filing to Introduce BellSouth
25¢ Call Plan Service
Docket No. 98-00307*

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth Telecommunications, Inc.'s Memorandum in Opposition to AT&T's Motion to Disapprove Tariff and Dismiss Proceeding Without Prejudice.

Copies of the enclosed are being provided to counsel of record for all parties.

Very truly yours,

A handwritten signature in black ink, appearing to be "Guy M. Hicks", written over a large, stylized, looping flourish.

Guy M. Hicks

GMH:ch
Enclosure

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

**IN RE: *BellSouth Telecommunications, Inc. Tariff Filing to Introduce
BellSouth 25¢ Call Plan Service***

Docket No. 98-00307

**BELLSOUTH TELECOMMUNICATIONS, INC.'S MEMORANDUM
IN OPPOSITION TO MOTION OF AT&T COMMUNICATIONS OF THE SOUTH
CENTRAL STATES, INC. TO DISAPPROVE TARIFF AND
DISMISS PROCEEDING WITHOUT PREJUDICE**

BellSouth Telecommunications, Inc. ("BellSouth") respectfully files its Memorandum in Opposition to AT&T's Motion to Disapprove Tariff and Dismiss Proceeding Without Prejudice ("Motion"). As explained below, granting AT&T's Motion serves no useful purpose and would unnecessarily delay the implementation of an optional intraLATA toll service that provides Tennessee consumers with more service options and lower prices. The Tennessee Regulatory Authority ("TRA"), therefore, should deny AT&T's Motion and proceed to a hearing pursuant to the schedule proposed by the Pre-Hearing Officer in his letter of July 7, 1999.

AT&T's Motion requests that this proceeding be dismissed "without prejudice." (Motion at ¶ 6). In other words, AT&T asks the TRA to dismiss this proceeding, allow BellSouth to re-file its tariff along with cost information, and start the process over again. In light of the Hearing Officer's proposed schedule for bringing this proceeding to a conclusion, AT&T's Motion unnecessarily exalts form over substance, to the detriment of Tennessee consumers.

The proposed schedule allows AT&T (and any other party) to file discovery requests by August 2, 1999, and it requires BellSouth to respond to these discovery requests no later than August 12, 1999. AT&T, therefore, can request relevant cost information through the discovery process and receive the requested information a full 14 days before it is required to file direct testimony in this proceeding. AT&T will then have an additional seven days to review BellSouth's direct testimony supporting its tariff and file rebuttal testimony, if it so desires. Accordingly, the Hearing Officer's proposed schedule allows AT&T ample opportunity to review BellSouth's cost information supporting its tariff and to address that information in its testimony.

Dismissing this proceeding only to have BellSouth re-file its tariff with cost information that AT&T can readily obtain through discovery makes no sense. Granting AT&T's motion would only unnecessarily delay these proceedings and the implementation of an optional service which, like BellSouth's LATA-Wide Area Plus® service recently approved by the TRA, will provide Tennessee consumers with more intraLATA toll options and lower prices. The TRA, therefore, should deny AT&T's Motion and proceed with the schedule set forth by the Hearing Officer.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

Guy M. Hicks

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CERTIFICATE OF SERVICE

I hereby certify that on July 19, 1999, a copy of the foregoing document was served on the parties of record via facsimile, overnight, or US Mail, postage prepaid:

☒ Hand
☐ Mail
☐ Facsimile
☐ Overnight

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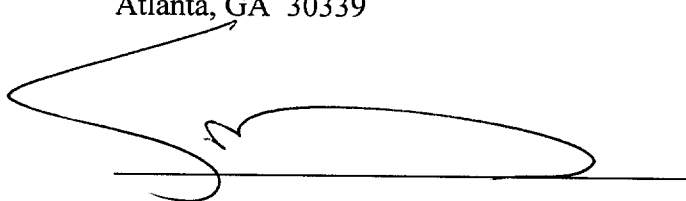
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Carolyn Tatum Roddy, Esquire
Sprint Communications
3100 Cumberland Circle, N0802
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A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be a name like "Carolyn" or "Roddy".